

REMARKS / ARGUMENT

A. INTRODUCTION

In the office action dated November 11, 2006, claims 1-16, 22, 23, 27, 29-31, 36, 37, 39, 41, 44-57 were rejected:

claims 1, 23, 36, 51 were rejected under 35 U.S.C. § 102(e) in view of U.S. patent no. 6,377,296 to Zlatsin *et al.* (hereafter "Zlatsin");

claims 11-13, 16, 31, 39, 46-49, 52, 54, 55 appear to have been rejected under 35 U.S.C. § 102(e) in view of Zlatsin, although page 2 of the office action does not explicitly state this.

claims 2-4, 27, 29, 37, 53 were rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of an IEEE publication by Se *et al.* entitled "Vision-based Mobile Robot Localization and Mapping using Scale-Invariant Features," 2001 (hereafter "Se").

claims 5, 7-9 were rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 6,128,004 to McDowall *et al.* (hereafter "McDowall").

claim 6 was rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 6,215,892 to Douglass *et al.* (hereafter "Douglass").

claim 10 was rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of USPAP pub. no. 2003/0214481 to Xiong (hereafter "Xiong").

claims 14, 15, 44, 45, 57 were rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 5,761,485 to Munyan (hereafter "Munyan").

claim 22 was rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of USPAP pub. no. 2003/0214481 to Xiong (hereafter "Xiong").

claim 30 was rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 7,113,193 to Marks (hereafter "Marks").

claim 41 was rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 6,088,484 to Mead (hereafter "Mead").

claims 50 and 56 were rejected under 35 U.S.C. § 103(a) based on Zlatsin further in view of U.S. patent no. 5,467,447 to Vogul (hereafter "Vogul").

Claims 17-21, 24-26, 28, 32-35, 38, 40, 42, 43 were objected to but would be allowable if rewritten in independent form.

B. REJECTION OF CLAIMS 1, 23, 36, AND 51 UNDER 35 U.S.C. § 102(E)

Applicants submit that independent claims 1, 23, 36, and 51 of the present application are patently distinguishable with respect to Zlatsin because Zlatsin fails to disclose one or more features claimed in the preferred embodiment of the present invention. In particular, Zlatsin fails to disclose a gesture as a basis for providing information associated with the printed media. Applicants therefore respectively traverse the rejection made pursuant to Section 102(e).

Claim 1 recites in relevant part:

“identifying the printed media using the digital representation of the printed media;”

...

“based at least in part on the first gesture and the retrieved information, providing at least a portion of the retrieved information.”

In the preferred embodiment of the present invention, the computer system implements the first command associated with the first gesture by providing retrieved information “based on” the first gesture as it relates to a portion of the printed media. If and when the portion of the retrieved information is provided by the computer system, it does so *in response* to the first gesture. As evidenced by the many examples in the Detailed Description, the computer system can read text, play audio, and/or present video in response to a tapping, sweeping, or movement gesture, for example.

In contrast to the claimed invention, Zlatsin’s system for tracking objects provides information about the location of a registered object *based on* a query using voice or keyboard input. Zlatsin states: “[s]ubsequently, via a keyboard 170 or by speaking into microphone 174, the user can query, “Where are my glasses?” (col. 4, lines 57-59). Zlatsin fails to disclose or suggest using gestures to retrieve the location or other information about the identified object. Instead, Zlatsin suggests that a finger gesture only be used to “register” an object with the tracking system:

The user acquires the attention of the system and puts it into an object registration mode by making a unique gesture, then touches the eyeglasses and makes a statement such as, "These are my eyeglasses." *A gesture recognition module 210 interprets the gesture and alerts object identifier/tracker 215 that an object is about to be registered.* The user's statement is received through microphone 220 and is interpreted by automatic speech recognition (ASR) module 225. Object identifier/tracker 215 analyzes the image of the object with regard to parameters such as shape, size, color and location, and labels the object as "eyeglasses." Thereafter, the image is stored in database 230 where it is indexed according to its attributes 235. The location of the object is also represented in virtual map 240. (col. 5, lines 6-20) (emphasis added)

and

Automatic handwriting recognition (AHR) module 270 is included to capture the text from handwritten notes and optical character recognition (OCR) module 272 *captures text from printed documents and books.* For example, if the user registers a math book with object tracking system 200 by using the phrase "This is my book", cameras 205 or 208 can *scan the book's cover and the title* "Linear Algebra" can be analyzed by OCR module 272, thus providing an additional descriptor for the object. (col. 5, lines 54-62) (emphasis added)

In the office action, the examiner asserts that Zlatsin's process of "registering" an object and capturing text is comparable to "identifying" step as it is used in claim 1. Therefore Zlatsin suggests using a gesture to store information about objects but not to retrieve information about the objects as recited in claim 1. Independent claims 23, 36, 51 and associated dependent claims are allowable for the same reason a claim 1. Applicants therefore request that the rejection be withdrawn and the claims allowed.

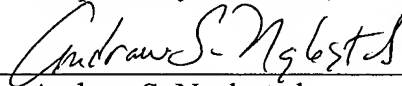
C. CONCLUSION

For all the forgoing reasons, Applicant submits that the present invention is patently distinguishable from Zlatsin and other cited art either alone or in combination. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Pursuant to 35 U.S.C. 132 and 37 CFR 1.121, Applicant has exercised care to avoid the introduction of new matter. Should there be any fees for this action, your office is authorized to draw from the firm deposit account number 501154. Should you have any questions, or identify any problem, I would appreciate a telephone call so that this matter may be resolved promptly.

Respectfully submitted,

By: _____



Andrew S. Naglestad

Reg. No. 47,814

130 West Union St.

Pasadena, CA 91103

Tel.: (626) 685-4991